

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Connect America Fund)	WC Docket No. 10-90
)	
ETC Annual Reports and Certifications)	WC Docket No. 14-58
)	
Developing a Unified Intercarrier Compensation)	CC Docket No. 01-92
Regime)	
)	

DECLARATION OF JAMES GROFT

I, James Groft, hereby declare under the penalty of perjury as follows:

1. I am the Chief Executive Officer of James Valley Cooperative Telephone Company ("JVCTC"). The matters sworn to below are made from my personal knowledge, and I am competent to testify thereto.
2. In 1950, a sleet storm destroyed many miles of telephone lines in Brown County that were not being restored by the incumbent carrier. As a result, local residents interested in obtaining modern telephone service realized that if proper equity could be raised, they could secure a Rural Electrification Administration loan to rebuild the old system and make service available to everyone in the entire area. Therefore, JVCTC was incorporated on September 8, 1951 to serve the telephone needs of the people of rural Brown County, South Dakota. Since those early beginnings, the Cooperative has expanded to include members in Brown, Day, Spink, Marshall and Clark Counties of South Dakota. JVCTC has also expanded its service offerings to the residents of these counties. JVCTC now provides digital cable television, Internet access, a full array of calling features, website hosting, business phone systems, and most recently, cell phone service in portions of its service territories. In some areas, however, JVCTC has not yet been able to provide sufficient high-speed Internet access to meet the needs of its rural consumers. And, for this

reason, I have paid close attention to the Commission's reforms and its efforts to expand broadband to rural America.

3. Prior to the release of the *Rate-of-Return Order*, I became aware of the potential for the Commission to rely on Form 477 data as a basis of determining eligibility for the Alternative Connect America Cost Model ("A-CAM"). I was concerned that JVCTC's eligibility for A-CAM may be hindered based on an ambiguity in the reporting instructions for Form 477, which calls for carriers to report the "advertised" speed of its broadband offerings on a census block basis.

4. The FCC updated the instructions regarding reporting of broadband speeds on the Form 477 in 2013. See *In the Matter of Modernizing the FCC Form 477 Data Program*, Report and Order, 28 FCC Rcd. 9887, ¶ 3 (June 27, 2013). ("To streamline and reduce burdens, we: will not require providers to submit broadband deployment data in predetermined speed tiers, and instead will require providers of broadband services simply to provide advertised speeds—the maximum advertised speed in each census block for fixed broadband. . . ."); *id.* ¶ 11 ("Instead of defining speed tiers for the reporting of fixed broadband deployment data, as the SBI collection does, we will require filers to provide the maximum advertised speed for each technology used to offer service in each census block.").

5. JVCTC does not advertise broadband speeds on a census block basis. Instead, it apprises customers of the maximum available speeds anywhere within the JVCTC service territory and informs customers, "Speeds not guaranteed, not available in all areas." As such, since the FCC revised the 477 instructions in 2013, I have struggled with the most accurate way to complete the Form 477. Upon learning that this ambiguity may have significant financial repercussions for JVCTC, I retained technical consultants, including Vantage Point Solutions and 4G Unwired, to analyze and provide advice regarding the accuracy of JVCTC's broadband reporting on its Form 477s.

6. Based on the advice of those technical consultants, JVCTC has amended all of the Form 477s available through the Commission's electronic database. Specifically, JVCTC amended its December 2015 Form 477 on March 3, 2016, its June 2015 Form 477 on March 30, 2016, its December 2014 Form 477 on April 20, 2016, and its June 2014 Form 477 on April 26, 2016. **Exhibits A – D** are true and correct copies of the filing confirmations for each of the respective amendments.

7. Preparing the 477 amendments required significant staff time and effort. In addition to the technical assessment performed by our outside consultants, my staff also had to review two years of customer records to ensure that any revisions we made accurately reflected only those customers living in particular census blocks at the time the respective Form 477 was originally prepared. In short, I believe that JVCTC has worked diligently to provide corrected information to the Commission once it determined that such amendments were necessary.

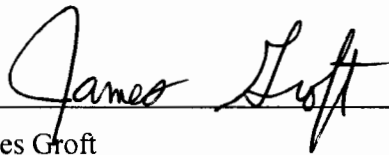
8. As we were continuing to work through our process of revising our Form 477s, the Commission released the *Rate-of-Return Order*. I reviewed that Order and found that the Commission intended to rely on June 2015 477 data, rather than the more recent December 2015 477 data. I also observed that the Commission was not allowing carriers to make corrections to their data after the end of that day.

9. Since we had concluded our study of the June 2015 Form 477 data, but had not yet entered corrections in the FCC's database, I realized that JVCTC needed to promptly make those updates in order to preserve our eligibility for A-CAM. I therefore directed my staff to enter and certify revisions to JVCTC's June 2015 Form 477 on March 30, 2016. *See Exhibit B*, Revised June 2015 Form 477 Filing Summary (Last Updated: March 30, 2016). Thus, by the end of the day on March 30, 2016, JVCTC's June 2015 477 data accurately conveyed the available broadband speeds by census block.

10. JVCTC takes its obligations to provide accurate information to the Commission seriously. It has not knowingly provided inaccurate information. When the issue arose, JVCTC expended considerable resources to retain technical consultants and worked in good faith to make adjustments to its filings. For these reasons, JVCTC should not be prevented from participating in A-CAM.

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Dated June 29, 2016


James Groft